

85th Legislative Session – 2010

Committee: House Commerce

Wednesday, March 03, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Conzet
P Fargen
P Greenfield
P Jensen
P Kirschman
P Krebs
P Novstrup (David)
P Nygaard
P Pitts
P Solberg
P Solum, Vice-Chair
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Rounds.

MOTION: TO APPROVE THE MINUTES OF MARCH 1, 2010

Moved by: Solum
Second by: Krebs
Action: Prevailed by voice vote.

SB 32: revise the process for the reporting of surplus lines insurance.

Presented by: Merle Scheiber, Division of Insurance

MOTION: DO PASS SB 32

Moved by: Greenfield
Second by: Fargen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Excused: Jensen

MOTION: PLACE SB 32 ON CONSENT CALENDAR

Moved by: Greenfield
Second by: Fargen
Action: Failed by voice vote.

SB 35: require the policyholder's signed acceptance for endorsements that reduce or eliminate coverage upon certain health insurance policy issuance.

Presented by: Randy Moses, Division of Insurance

MOTION: DO PASS SB 35

Moved by: Solum
Second by: Krebs
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Voting No: Blake

SB 81: exempt open-loop prepaid cards from unclaimed property provisions.

Presented by: Representative Roger Solum
Proponents: Doug Hajek, Metabank

MOTION: DO PASS SB 81

Moved by: Krebs
Second by: Jensen
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

MOTION: PLACE SB 81 ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Greenfield
Action: Prevailed by voice vote.

SB 108: prohibit dental insurers from setting fees for noncovered services.

Presented by: Representative Val Rausch
Proponents: Jack Muller, SD Dental Assn.
Opponents: Darla Pollman Rogers, Ameica's Health Insurance Plans

MOTION: DO PASS SB 108

Moved by: Greenfield
Second by: Conzet
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

SB 168: increase the amount of coverage provided by the South Dakota Life and Health Insurance Guaranty Association for long-term care insurance.

Presented by: Senator Nancy Turbak Berry
Proponents: Randy Moses, Division of Insurance

MOTION: DO PASS SB 168

Moved by: Krebs
Second by: Solum
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

MOTION: PLACE SB 168 ON CONSENT CALENDAR

Moved by: Greenfield

Second by: Fargen
Action: Prevailed by voice vote.

Committee recessed for 15 minutes and moved to room 413.

Chair passed the gavel to Vice Chair.

SB 169: limit the subrogation of certain insurers unless and until the insured is made whole.

Presented by: Representative Joni Cutler
Proponents: Senator Nancy Turbak Berry
Michael Demersseman, Self, Rapid City
Mike Marlow, Self, Yankton
Mike Wilson, Self, Rapid City
Jill Hart, Self, Custer
Don Hart, Self, Custer
Clint Sargent, Self, Sioux Falls
Opponents: Mike Shaw, Property Casualty Insurance Association of America
Dick Tieszen, ASBSD
Craig Matson, State Farm Insurance
Drew Duncan, SD Insurance Alliance
Dave Gerdes, SD State Medical Association
Dick Gregerson, Wellmark Blue Cross Blue Shield of SD
Lindsey Riter-Rapp, National Federation of Independent Business

MOTION: DO PASS SB 169

Moved by: Krebs
Second by: Blake
Action: Was not acted on.

MOTION: CALL THE QUESTION

Moved by: Rounds
Second by: Fargen
Action: Prevailed by voice vote.

MOTION: DO PASS SB 169

Moved by: Krebs
Second by: Blake

Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Blake, Conzet, Fargen, Jensen, Kirschman, Krebs, Nygaard, Pitts, Solberg

Voting No: Greenfield, Novstrup (David), Solum, Rounds

Vice Chair passed gavel to Chair.

MOTION: ADJOURN

Moved by: Krebs

Second by: Conzet

Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Tim Rounds, Chair